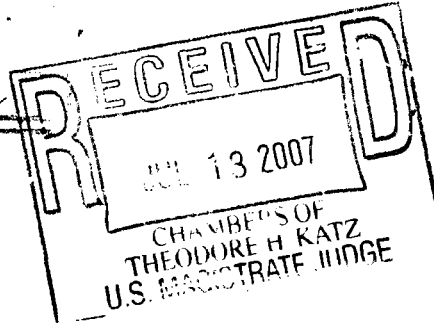


July 13, 2007

VIA FACSIMILE

Honorable Theodore H. Katz  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007



Re: Vaicaitiene v. Partners In Care, Inc. and Visiting  
Nurse Service of New York, Inc., 04 Civ. 9125 (RMB)(THK)

Dear Judge Katz:

As permitted by this Court's order of June 29, 2007, a copy of which is annexed, counsel have continued their discussions with respect to the above-referenced proceeding. Earlier today, these discussions, which had focused previously on how many depositions would be taken of the collective action plaintiffs, how/when to complete document production, and deadlines for interrogatories, took a turn toward considering means of resolving this matter without extensive discovery. Accordingly, we propose the following:

1. Counsel will develop a possible settlement vehicle for resolution of the claims brought by plaintiffs for consideration by their respective clients with the goal of presenting it to the Court for consideration on or before August 10, 2007.
2. If counsel are unable to achieve agreement as set forth in 1. above, they will on or before August 10, 2007 present to the Court for consideration a proposed schedule for completion of discovery and motions relating to the viability of this proceeding as a collective/class action.

We respectfully request that our proposal be so ordered.

Respectfully,

*Kathy H. Chin*  
Kathy H. Chin

cc: Karl J. Stoecker, Esq.  
Attorney for Plaintiff

*So ordered.*  
*If the Court can be of*  
*help with settlement, contact*  
*chambers.*

Kathy H. Chin Tel 212 504 6542 Fax 212 504 6666 kathy.chin@cwtf.com

**MEMO ENDORSED**